

REMARKS

Claims 11-14 and 32-37 are pending. Claims 31, 38 and 39 were previously canceled. Claims 1-10 and 15-30 were withdrawn and are canceled by this communication. Claims 11-14 and 32-38 are rejected. Claims 35-37 are objected to.

Objections to claims

Claims 35-37 are objected to as failing to further limit the subject matter of a claim from which they depend. Claims 35-37 are amended. Applicants believe that the objection is moot in light of the amendment to the claims.

Rejections under 35 USC 112, first paragraph

Claims 11-14 and 32-34 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Applicants believe that the rejection is moot in light of the amendment to the claim 11.

Rejections under 35 USC 112, second paragraph

Claims 35-37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 35-37 are amended. Applicants believe that the rejection is moot in light of the amendment to the claims.

Rejections under 35 USC 103

Claims 11-14, 33 are rejected under 35 USC 103(a) as being obvious over Horres (US 2005/0129731).

Claim 11 defines an implantable device comprising a coating. The coating comprises a polymeric composition of a polysulfone (A) and an elastomeric polymer (B). **The polysulfone and the elastomeric polymer form a conjugate.**

Horres describes medical products with at least one biocompatible biostable polysulfone layer. The medical product can be in the form of stents (abstract). The polysulfones are mixed

with other hydrophilic polymers in a suitable amount. However, **Horres does not teach or suggest a coating having a polysulfone (A) and an elastomeric polymer (B) that form a conjugate.** There is no teaching in Horres for one of ordinary skilled in the art to make and use a polymer conjugate comprising a polysulfone and an elastomeric polymer as defined in the claims. Accordingly, claim 11 is patentably allowable over Horres under 35 U.S.C. 103(a). Claims 12, 13, 14, 33 depend from claim 11 and are patentably allowable over Horres under 35 U.S.C. 103(a) for at least the same reason.

The undersigned authorizes the examiner to charge any fees that may be required or credit of any overpayment to be made to Deposit Account No. **07-1850**.

CONCLUSION

Withdrawal of the rejection and allowance of the claims are respectfully requested. **If the Examiner has any suggestions or amendments to the claims to place the claims in condition for allowance, applicant would prefer a telephone call to the undersigned attorney for approval of an Examiner's amendment.** If the Examiner has any questions or concerns, the Examiner is invited to telephone the undersigned attorney at (415) 393-9885.

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Squire, Sanders & Dempsey L.L.P.
One Maritime Plaza, Suite 300
San Francisco, CA 94111
Telephone (415) 393-9885
Facsimile (415) 393-9887

Respectfully submitted,

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Zhaoyang Li, Ph.D., Esq.
Reg. No. 46,872